

Vehicle Service & Repair Introduction and Overview of Requirements



Presented by
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San Diego County Department
of Environmental Health,
Hazardous Materials Division

Today's Goals



1. To be better able to achieve compliance with requirements for:

- hazardous materials,
- hazardous wastes, and,
- aboveground storage tanks

specific to Vehicle Service & Repair in San Diego County.

2. To find ways to save money and prevent pollution to soil, air and water at the same time!



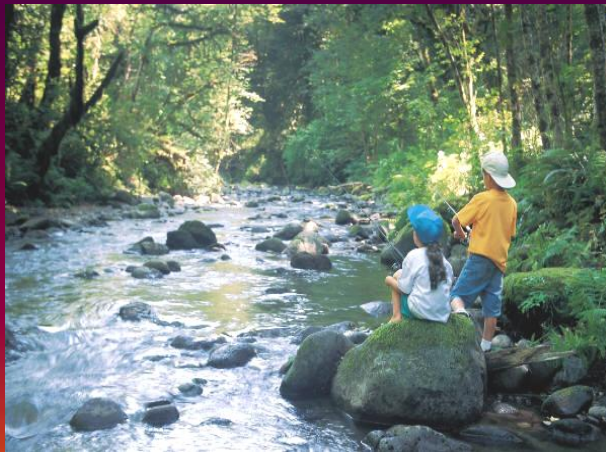
Objectives

- Identify the difference between a “hazardous material” and a “hazardous waste”,
- Discuss your responsibilities as handlers of hazardous materials,
- Discuss your responsibilities as “Generators” of hazardous waste & Universal Waste,
- Identify the roles of some regulatory agencies,
- Identify aboveground petroleum storage requirements and resources,
- Identify types of violations.



What you do in the VSR Industry Matters!

- You work with hazardous chemicals.
- You generate hazardous waste.
- You conduct work that can affect the safety of employees & neighbors.
- If you don't comply, your actions can result in serious dangers to:



What you do in the VSR Industry Matters!

- And may result in fines and penalties!

Up to \$25,000 in penalties per day!



A silhouette of a human head in profile, facing left. Inside the head is a globe with red, yellow, and black segments. Above the head, three white lightning bolts are shown against a blue background.

What do you know?

Name 1 thing you
to be in compliance in
your VSR shop.

How does the action protect your
employees, public health, kids or
the environment?

Why is this important to you?

What will you take back to your shop?

In each section,
what are the
2 most
important
issues for your
shop from the
workshop
today?

1.2 Why P2 or BMP? 1. 2.	1.3 Why me? 1. 2.
1.4 Hazardous Materials & Wastes 1. 2.	1.5 Generating Hazardous Wastes 1. 2.

What will you take back to your shop?

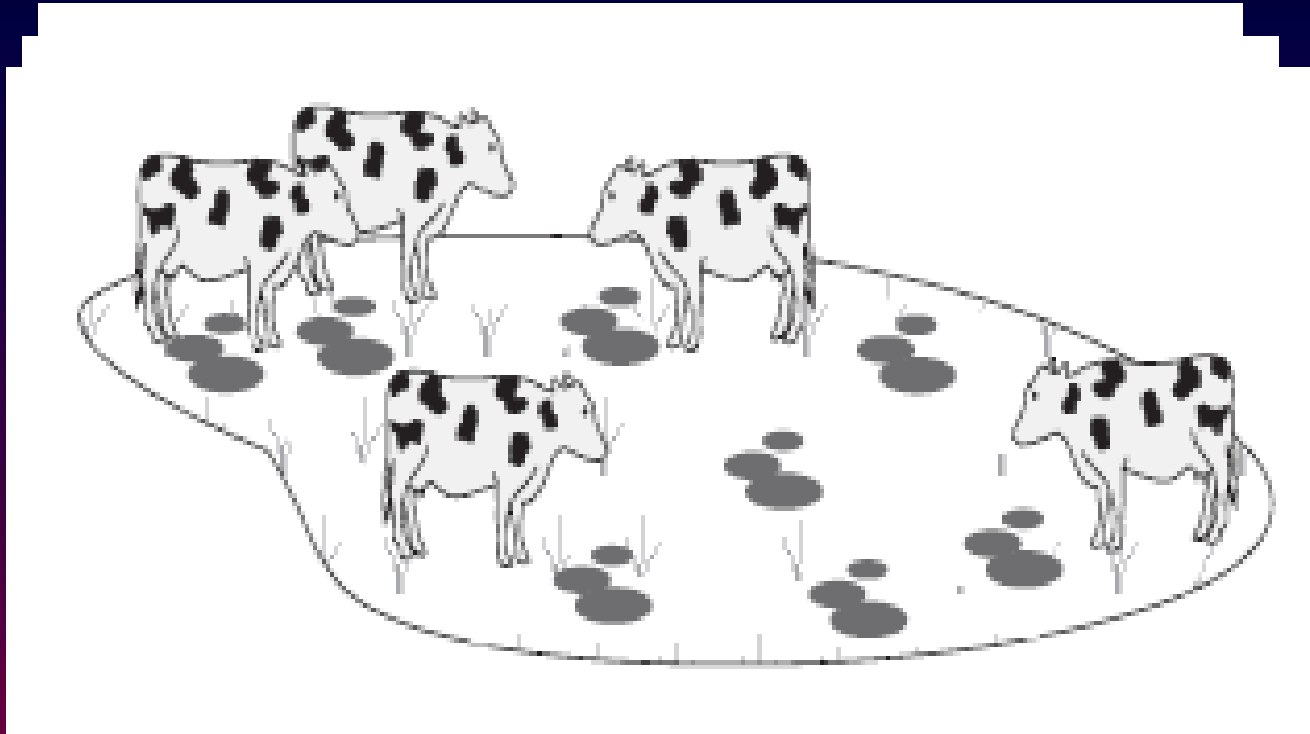
Identify 3 hazardous materials in your work place.

List the dangers they pose.

What is at least 1 way to reduce the danger or minimize the quantity of waste you generate?

Hazardous Materials in Your Workplace	How it is Used & Wastes Produced	Dangers to Employees and How to Protect Them
1)	Use: Waste generated:	Health danger(s): Protection methods:
2)	Use: Waste generated:	Health danger(s): Protection methods:
3)	Use: Waste generated:	Health danger(s): Protection methods:

Why is My Business Regulated?



“No man is an island unto himself...” ~John Donne

If you were the only small-quantity hazardous waste generator, your environmental impact would be insignificant.



1 gallon of oil on water can cover an area the size of a football field. Surface oil from the gulf spill spreads over 48,000 sq. miles

Why are Hazardous Materials Regulated?

1. Disclosure (Right to Know)
2. Release Response

“Hazardous” - What does it mean?

- Something that can cause harm, such as:
- irritation,
- illness,
- injury
- or death



Hazardous Materials Laws & Regulations



Federal Law & Regulations

- EPCRA –Emergency Planning & Community Right to Know Act
- California Toxic Release Inventory Program Act of 2007
- Title 40 CFR, Part 355



California Law & Regulations

- Health & Safety Code (H&SC), Division 20 Chapter 6.95
- Title 19 CCR Division 2, Chapter 4

(Also refers to Uniform Fire Code, Vehicle Codes, Labor Codes, and refers back to the Federal Code – 40 CFR.)



San Diego County Code of Ordinances

- SDCC Title 6, Division 8, § 68.905 (Permitting Authority)
- SDCC Title 6, Division 8, § 68.1113 (Disclosure/Reporting)

Hazardous Materials

Definition from HSC 25501(o):

"Hazardous material" means any material that, because of its **quantity**, or **concentration**, or **physical** or **chemical** characteristics, poses a **significant present** or **potential** hazard to human health and **safety** or to the **environment** if **released** into the workplace or the environment.



Hazardous Materials

HSC 25501(o) continued...

"Hazardous materials" include, but are not limited to,

hazardous substances, hazardous waste,

and any material that a handler or the administering agency has a
reasonable basis for believing

that it would be **injurious** to the health and **safety** of persons or **harmful** to the environment if released into the workplace or the environment.

So, can a hazardous waste also be regulated as a hazardous material?



YES!

Hazardous Materials

- Hazardous **materials** are regulated if you handle these quantities:
 - Liquids \geq 55 gallons
 - Solids \geq 500 pounds
 - Gases \geq 200 cubic feet



Hazardous Materials

Exception:

You may have up to 5 types of good OIL in amounts up to 55-Gallons each without

- Reporting this OIL on your UPF Permit, AND
- Putting this oil on your HMBP



Hazardous Materials

Would these hazardous materials be put under permit?



Hazardous Materials

If you have at least one material in regulated quantities at any time during the year -

You are required to:

1. Get a **Unified Program Facility Permit** from the County or report this material on an existing permit.
2. Complete and submit a HazMat Business Plan (HMBP)

CHSC 25504 – Plan must include:

- **Material Inventory**
- Emergency Response plan
- Employee Training plan (describes training topics)
- **Site Map**
- **Signed Self-Certification**

3. Train Employees Annually on the HMBP contents.

Hazardous Materials

A hazardous material can become a waste if any of the following apply:

- it is to be discarded or disposed of;
- it is recyclable or is to be recycled;
- and / or,
- it is inherently waste-like.



Hazardous **Waste**

- **Federal Laws and Regulations**

- **Resource Conservation Recovery Act (RCRA)**
- Toxic Substances Control Act (TSCA)
- Comprehensive Environmental Response, Compensation & Liabilities Act (CERCLA)
- **40 CFR Parts 260-265, 279, etc.**



- **California Laws and Regulations**

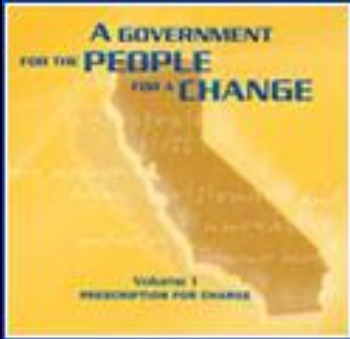
- Health & Safety Code Division 20, Chapter 6.5
- Title 22 CCR Division 4.5, Chapter 10



- **San Diego County Code of Ordinances**

- SDCC Title 6, Division 8, Chapter 9





Hazardous **Waste**

- California is a “contract” or “State Plan” state: state laws and regulations meet or exceed federal requirements.
- Resources for state laws & regulations:
Cal EPA: **DTSC**, ARB, SWRCB, DPR, CIWMB

Hazardous Waste – How do you know?

#1 - Is it a Waste?

- Any solid, semi-solid, liquid or contained-gas that is **discarded material** ...
- Not specifically excluded by 40 CFR or HSC, Chapter 6.5 or a pre-approved variance.

Hazardous Waste – How do you know?

#1 – If it is a discarded material - it is a WASTE.



‘Discarded Material’ means:

- Relinquished out of your possession, includes abandonment
- Recycled
- Stored and/or Treated before recycling
- Is mishandled and poses a threat to public health
- Is considered “inherently waste-like”

OR...

Hazardous Waste – How do you know?

2 - A Hazardous Material Becomes a Waste WHEN:

Poses a threat to public health or the environment AND:

(A) **It is mislabeled or not adequately labeled,**
- unless it is correctly labeled within 10 days.

(B) **It is packaged in deteriorated or damaged containers,**
- unless it is repackaged within 96 hours.

**OK, Let's say you have a
waste.....**

Is it a Hazardous Waste??

How do you find out?

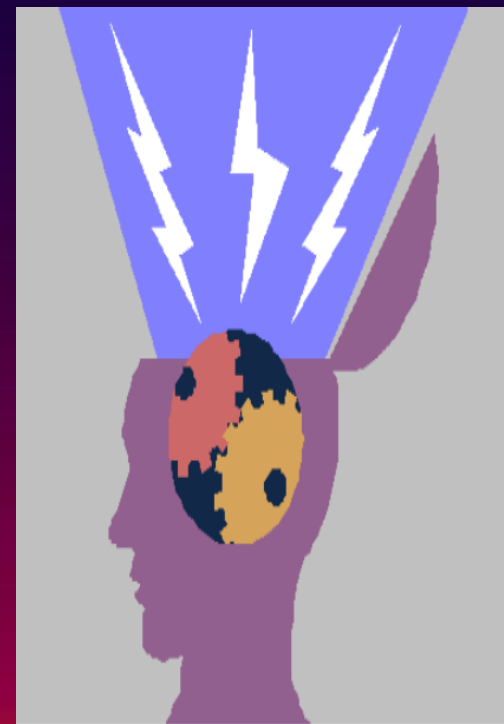


Is it a Hazardous Waste?

- **There are two ways to do a *waste determination*:**

#1. Knowledge of process

- Through knowledge of the hazardous materials used in the process, you may determine resulting waste is not a hazardous waste.
- You may check for analytical data from other businesses using the same process, or your Industry Association.
- An MSDS can tell you if the waste from a material would be a “listed” waste and other characteristics.



Is it a Hazardous Waste?

There are two ways to do a waste determination:

#2. Testing of samples by a State-certified Laboratory.

- Using approved methods/tests
- Hazardous Characteristics:
 - **Ignitable:** Flash point $<140^{\circ}\text{F}$
 - **Corrosive:** $\text{pH} \leq 2$ or ≥ 12.5
 - **Reactive:** Explosive; releases toxic gas
 - **Toxic:** Heavy metals, LC50, LD50, kills fish...
- *For variable waste streams, enough samples must be taken to ensure a proper assessment*
- *A generator who incorrectly determines and disposes of a waste as non-hazardous, is in violation of the regulations and is subject to enforcement action.*

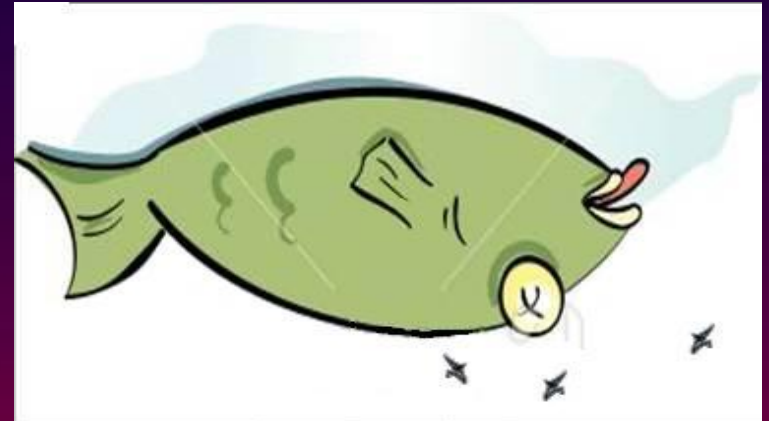


Is it a Hazardous Waste?

The test to determine if waste is toxic is a Fish Test

- The fish are exposed to waste
After time if half of the fish die =
TOXIC!

If fish are dying, what is it doing
To you & your co-workers?
To your neighbors?
To your family?
To your community?



**It is the responsibility of the generator to
make the waste determination!**

Is it a Hazardous Waste?



County of San Diego

DEPARTMENT OF ENVIRONMENTAL HEALTH HAZARDOUS MATERIALS DIVISION

P.O. BOX 129261, SAN DIEGO, CA 92112-9261
(619) 338-2222 FAX (619) 338-2377
1-800-253-9933

TO: GENERATORS OF WASTE MATERIAL

FROM: HAZARDOUS MATERIALS DIVISION

WASTE DETERMINATION FOR GENERATORS

It is the generator's responsibility to determine whether or not a waste must be stored, transported and disposed of as a hazardous or non-hazardous waste.

A generator may determine that the waste from his/her particular facility or operation is not a hazardous waste by either:

- I. Testing the waste according to the methods set forth in the regulations; and/or
- II. Applying knowledge of the hazardous characteristic(s) or properties of the waste in light of the materials or the processes used and the criteria set forth in the hazardous waste regulations.

The testing criteria are specified in Title 22, Division 4.5, of the California Code of Regulations (CCR).

HMD Publication “**WASTE DETERMINATION FOR GENERATORS**” (Form HM-984) gives more instructions on this subject.

Is it a Hazardous Waste?

PROCESS	WASTE STREAM							
Vehicle Washing	Excess detergents	Oily sludge	Waste water	Cleaning compound	Oily/dirty rags			
Oil Changes	Used oil	Oil filters	Oily/dirty rags					
Brake Maintenance	Brake shoes/pads	Brake fluid	Asbestos	Grease/lubricants	Oily/dirty rags			
Battery Maintenance	Spent batteries	Oily/dirty rags	Waste acid					
Radiator Flushing	Waste water	Oily/dirty rags	Spent antifreeze					
Mechanical Work	Scrap metals	Solvents	Hydraulic fluid	Transmission fluid	Grease/lubricants	Oily/dirty rags	Oil & fuel filters	
Parts Cleaning	Spent solvent	Caustic water	Sludge/still bottoms	Used oil/grease	Oily/dirty rags			
Spill Cleanups	Waste absorbents	Oily/dirty rags	Used oil	Waste fuels	Waste coolant			

Is it a Hazardous Waste?

Hazardous Materials	Dangers
<p>Solvents:</p> <ul style="list-style-type: none">• Methyl Ethyl Ketone (MEK) *• Trichloroethylene (TCE) *• Mineral Spirits• Coolant• N-Hexane in aerosol cans	<ul style="list-style-type: none">• Damages the skin• Can cause fires (ignitable)• Poisonous vapors (chlorinated solvents such as TCE are especially dangerous)• Hazardous waste is toxic• Employee exposure to toxic n-hexane
<p>Batteries:</p> <ul style="list-style-type: none">• Acids• Metals	<ul style="list-style-type: none">• Skin burns• Explosive reactions
<p>Compressed gases:</p> <ul style="list-style-type: none">• Aerosol cans• Propane• Acetylene/oxygen	<ul style="list-style-type: none">• Extreme fire hazard• High pressure hazard• Poisonous• Displaces oxygen

* Banned in California

Is it a Hazardous Waste?

Hazardous Wastes	Dangers
<p>Metals, Fumes, and Dusts:</p> <ul style="list-style-type: none">• Cadmium• Nickel• Beryllium• Asbestos• Brake linings	<ul style="list-style-type: none">• Magnesium turnings - fire• Poisonous fumes when melted• Dusts / fibers• Metal fume fever• Some metal fumes can cause cancer
<p>Waste Fluids:</p> <ul style="list-style-type: none">• Brake Fluids• Radiator Dip	<ul style="list-style-type: none">• Skin absorption• Toxic mists or vapors• Skin burns• Environmental contamination



Hazardous **Waste**

There are different levels of requirements based on the TOTAL amount of hazardous waste you generate PER MONTH...

LQG (Large Quantity Generator)

- 1,000 Kg or more per month
 - 1,000 Kg = 270 Gallons = 2,200 Pounds

SQG (Small Quantity Generator)

- Between 100 Kg to 1,000 Kg per month
 - Equals between 27 Gal. and 270 Gal. or between 220 lbs. and 2,200 lbs.

CESQG (Conditionally-Exempt SQG)

- Less than 100 Kg (total) per month
 - < 27 Gallons or 220 Pounds



Hazardous **Waste**

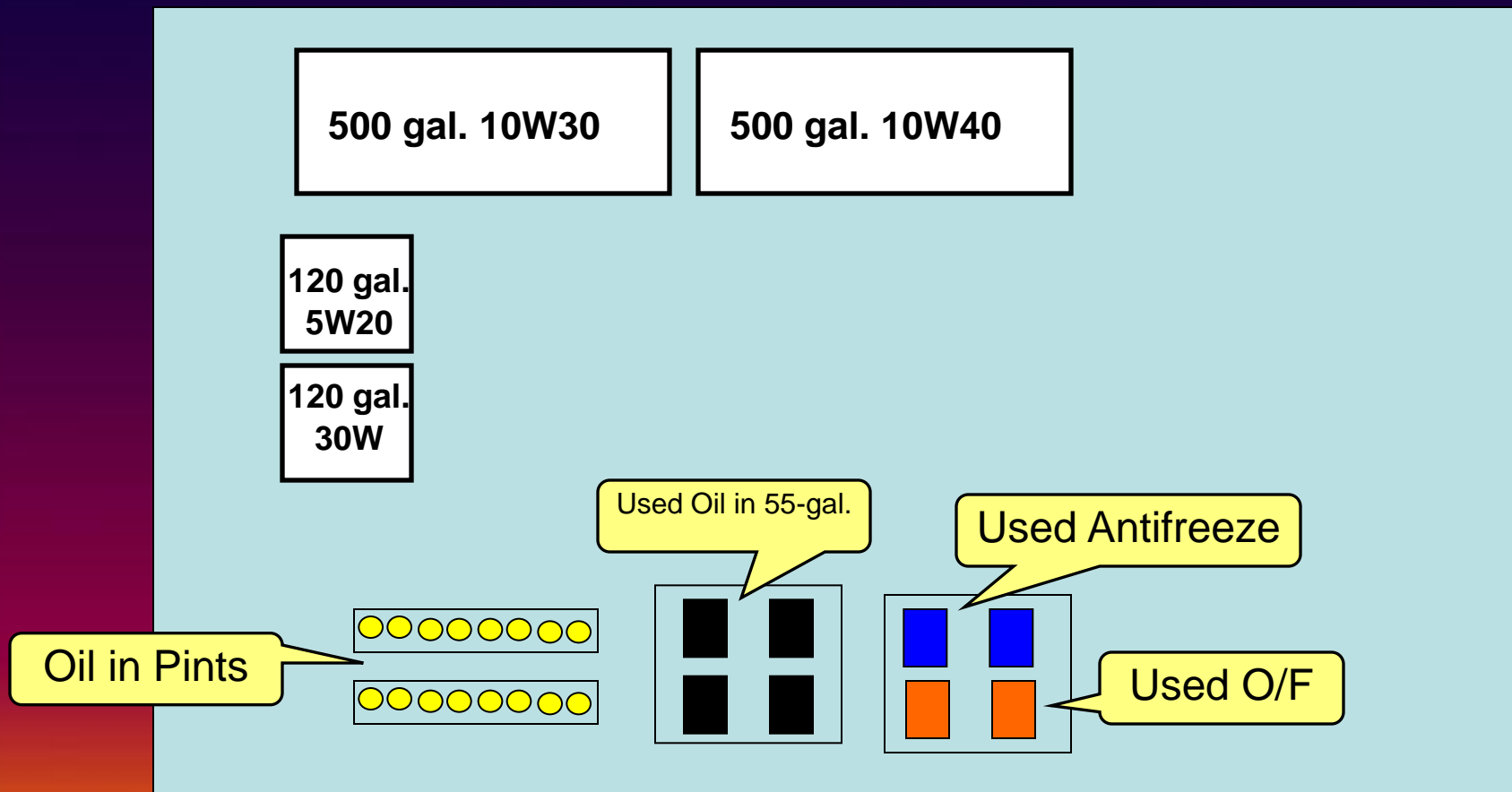
If you generate ANY quantity of hazardous waste, you are required to:

- #1 - Get a Unified Program Facility Permit from the County-HMD and get a California "EPA" ID # from DTSC.
- #2 - Complete and post a 'Contingency Plan' by the phone.
- #3 - Manage your waste accumulation per requirements.
- #4 - Properly dispose of hazardous waste per requirements.
- #5 - Maintain disposal records for at least 3 years.
- #6 – Train employees in proper waste management and emergency procedures.

Aboveground Petroleum Storage Tanks

APSA applies to your business IF you have:

- 1,320 gallons SHELL CAPACITY or more of petroleum
- in containers 55-gal. or larger



Aboveground Petroleum Storage Act (APSA)

If you had 1,320 gallons or more of petroleum in regulated containers/tanks before August 16, 2002:

- you were already required by law to have developed a Spill Prevention Control and Countermeasure (SPCC) Plan
- This previous law required an AST facility owner or operator to file a storage statement with a fee to the State Water Resources Control Board.
- The previous law also required the CUPAs to verify the presence of spill prevention control and countermeasure plans and to refer non-compliant facilities to the state.
- Authority to implement APSA was changed to the CUPA (County DEH/HMD) on 1/1/08.
- California Health & Safety Code, Division 20, Chapter 6.7 is known as Aboveground Petroleum Storage Act.

Aboveground Petroleum Storage Tanks

Basic APSA Requirements for VSR shops:

- Submit a Tank Facility Statement to HMD*
 - List total SHELL Capacity of all tanks containing petroleum
 - List all petroleum tanks of 10,000 gallons or more
 - List name, address & contact person

**If all of this information is included in the HMBP, then a Tank Facility Statement is not required; however, we are requesting an initial submittal to ensure information is correct.*
- Develop Spill Prevention Control & Countermeasure (SPCC) Plan.
- Implement the SPCC Plan.
- Amend SPCC Plan within 6 months of change.
- Review every 5 years minimum.
- Immediately report a spill or other release of one barrel (42 gallons) or more of petroleum to OES and HMD.

Aboveground Petroleum Storage Tanks

The SPCC plan is not required to be certified by a Professional Engineer if you are a “Qualified Facility”:

- Tier 1
 - No individual tank with a capacity greater than 5,000 gallons.
- Both Tier 1 and Tier 2
 - Total petroleum shell capacity $\leq 10,000$ gal.
 - No 2 discharges of greater than 42 gal. each within any 12 month period in the 3 years prior to the SPCC plan self-certification date.
 - No discharge greater than 1,000 gal. ever
- Must complete the respective SPCC Plan Template and self-certify the plan.
- See County HMD APSA web page:
http://www.sdcounty.ca.gov/deh/hazmat/hmd_apsa.html

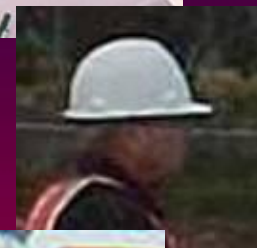


Local CUPA

● County of San Diego DEH - Hazardous Materials Division (HMD) is the State - **Certified Unified Program Agency**

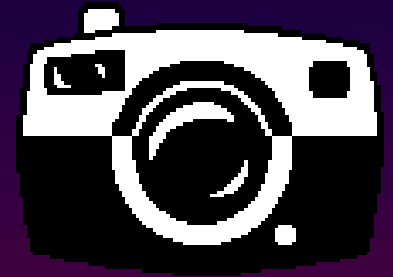
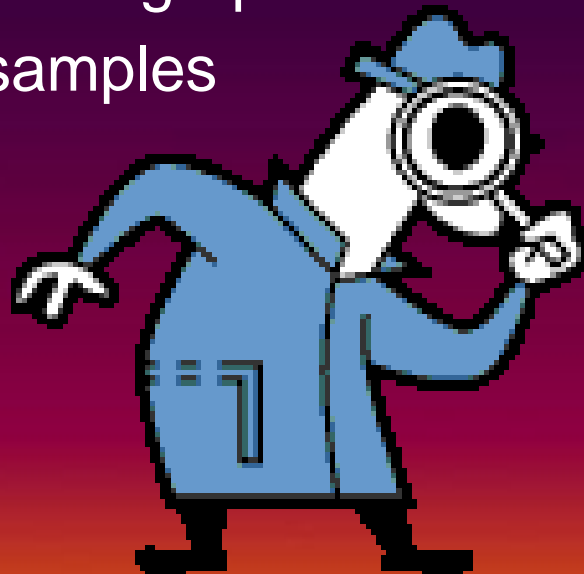
● One of the only Agencies in the State for all these program areas:

- **Hazardous Materials Business Plans**
- **Hazardous Waste Generators**
- **Tiered Treatment Permits**
- Underground Storage Tanks
- **Aboveground Petroleum Storage Tanks**
- Cal Accidental Release Program
- **Hazardous Incident Response**
- Medical Waste



Local CUPA

- **Authority to Inspect**
 - Written in State law (CH&SC §25185)
 - Enter at any reasonable hour
 - Copy pertinent documents
 - Take photographs
 - Take samples



CUPA Inspections



- Conducted every 18 months to 2 years
- May be generated by citizen complaints
- Inspections are unannounced
- Inspections are wall to wall / fence to fence
- Cover all Hazardous Waste, Material and Tank Regulations and Laws



Types of Violations

And How to Avoid the Danger!



Class I Violation

Significant threat to:

Human Health, Safety, or the Environment

● Factors:

- Relative hazard of the waste,
- Volume of the waste,
- Proximity of population at risk



Class II Violations

A pattern of neglect or disregard

- In 2004 an inspector observed leaking drums. The leaks didn't escape into the environment, and were cleaned up.
- In 2006 an inspector observed leaking drums. The leaks didn't escape into the environment, and were cleaned up.



Minor Violations

- Most violations are minor violations.
- When corrected in front of the inspector, the violation will not be cited unless...
- A minor violation become **significant when it reoccurs inspection after inspection, or when multiple minor violations indicate a pattern of neglect or disregard.**

VIOLATIONS

- a. No Hazardous Waste (H.W.) Labeling
- b. Non-empty aerosol cans in the trash
- c. Containers not closed
- d. No HMBP established
- e. Spills not promptly cleaned up
- f. Missing disposal records
- g. Not securing Compressed Gas cylinders
- h. Weekly inspections not conducted
- i. Failure to report a release

In Review

Hazardous Materials at or above the set thresholds at any time require:

- 1) UPF Permit,
- 2) HM Business Plan,
- 3) Employee Training.

For any waste you generate, you must make a waste determination.

ANY Hazardous Waste you generate requires:

- 1) UPF Permit,
- 2) Generator ID#,
- 3) Specific management & disposal requirements.
- 4) Specific recordkeeping requirements
- 5) Contingency Plan or HM Business Plan,
- 6) Employee Training.

In Review

HMD, as CUPA, has the authority to inspect your business, including sampling & photos.

A repeat minor violation or multiple minor violations can result in enforcement.

If you handle $\geq 1,320$ gallons of petroleum products in 55 gallon containers or larger,

you must develop or amend & implement an SPCC plan by Nov. 10, 2010*.

More coming on how to avoid fines, minimize regulatory oversight, prevent pollution, & save \$\$\$.

Questions?



**Hazardous Materials,
RCRA-Hazardous Waste,
Non-RCRA Hazardous
Waste,
Aboveground Petroleum
Tanks,**

**HMD Duty Specialist
(619) 338-2231**

www.sdcdeh.org

www.dtsc.ca.gov